

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
BATESVILLE DIVISION**

EARNEST TYELL FRIAR, JR.

PLAINTIFF

V.

1:10CV00094 SWW/JTR

MELISSA HOOD, Sergeant,
Independence County Jail, et al.

DEFENDANTS

JUDGMENT

Consistent with the Order of Dismissal that was entered on this day, it is CONSIDERED, ORDERED, and ADJUDGED that, pursuant to Local Rule 5.5(c)(2), this case is DISMISSED, WITHOUT PREJUDICE, due to Plaintiff's failure to timely and properly comply with the Court's December 2, 2010 Order. Further, the Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Judgment and the accompanying Order of Dismissal would not be taken in good faith.

DATED this 12th day of January, 2011.

/s/Susan Webber Wright

UNITED STATES DISTRICT JUDGE